

KACVINSKY LLC
INTELLECTUAL PROPERTY COUNSELORS

RECEIVED
CENTRAL FAX CENTER

OCT 24 2005

PATENT TRADEMARK AND COPYRIGHT LAW
TECHNOLOGY & LICENSING

4500 BROOKTREE ROAD
WEXFORD, PENNSYLVANIA 15090
(724) 933-9390
FAX (724) 933-0028

JOHN F. KACVINSKY *
ROBERTO CAPRIOTTI
ROBERT V. RACUNAS *†
JON C. REALI

* ALSO ADMITTED IN WASHINGTON, DC
† ALSO ADMITTED IN VIRGINIA
Email: information@kacvinskylaw.com
www.kacvinskylaw.com

FACSIMILE TRANSMITTAL SHEET

DATE: October 24, 2005
DELIVER TO: United States Patent and Trademark Office
FAX NO.: 1-571-273-8300
FROM: Jon C. Reali, Reg. No. 54,391
DOCKET NO.: 42390P11641 **APPLICATION NO.:** 10/004,439
NO. OF PAGES: 11 (including cover sheet)

Please enter the following documents:

Transmittal Form (1 pg.)
Amendment and Response (9 pgs.)

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING TRANSMITTED BY FACSIMILE ON THE DATE SHOWN BELOW TO THE UNITED STATES PATENT AND TRADEMARK OFFICE.

Jon C. Reali

10/24/05

Date

CONFIDENTIALITY NOTE: The documents accompanying this facsimile transmission contain information from the law firm of KACVINSKY LLC which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us immediately so that we can arrange for the retrieval of the original documents at no cost to you.

If you experience any difficulty in receiving the referenced pages, please call Deborah at (724) 933-9390.

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(To be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/004,439

Filing Date

October 23, 2001

First Named Inventor

Sven O. Lund

Art Unit

2664

Examiner Name

Shah, Chirag G.

RECEIVED
CENTRAL FAX CENTER
OCT 24 2005

10

Attorney Docket Number

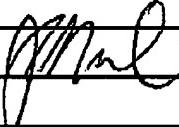
42390P11641

ENCLOSURES (Check all that apply) Fee Transmittal Form Fee Attached Amendment/Reply After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 Drawing(s) Licensing-related Papers Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Address Terminal Disclaimer Request for Refund CD, Number of CD(s) _____ Landscape Table on CD After Allowance Communication to TC Appeal Communication to Board of Appeals and Interferences Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) Proprietary Information Status Letter Other Enclosure(s) (please identify below):

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name KACVINSKY LLC

Signature 

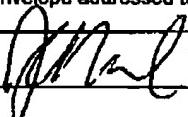
Printed name Jon C. Reali

Date October 24, 2005

Reg. No. 54,391

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature 

Typed or printed name Jon C. Reali

Date October 24, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

OCT 24 2005

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 10/004,439 Confirmation No.: 8210
Applicant : Sven O. Lund
Filed : October 23, 2001
TC/A.U. : 2664
Examiner : Chirag G. Shah

Docket No. : 42390.P11641
Customer No. : 08791

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

SIR:

In response to the Office Action mailed on July 22, 2005, with the three-month shortened statutory period for response set to expire on October 22, 2005, please reconsider the above-identified application in view of the following amendments and/or remarks.

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.